

Indiana Civil Rights Commission
AGENCY MONTHLY REPORT
DECEMBER 2013



Jamal L. Smith
Executive Director

Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Total Number of Inquiries	303	263	288	359	342	309	342	334	312	338	307	292	3789
Number of Complaints Drafted	66	77	81	113	99	89	97	91	99	114	116	83	1125
% of inquiries drafted	22%	29%	28%	31%	29%	29%	28%	27%	32%	34%	38%	28%	30%
Employment	54	60	66	83	81	69	65	68	74	80	93	63	856/76%
Housing (Real Estate)	4	2	7	10	3	11	14	16	7	18	8	9	109/10%
Public Accommodation	7	12	4	13	10	9	15	4	15	13	11	8	121/11%
Credit	0	0	0	0	0	0	0	0	0	0	0	0	0/0%
Education	1	3	4	7	5	0	3	3	3	3	4	3	39/3%
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0/0%
Number of Complaints Formalized	63	56	65	88	83	87	96	75	78	92	83	106	972
Employment	47	39	43	59	59	74	61	51	53	69	57	77	689
Transferred from EEOC*	3	0	0	0	2	19	22	3	1	12	4	2	68
Housing (Real Estate)	9	7	14	9	13	5	24	12	12	9	11	17	142
Transferred from HUD**	3	2	5	1	2	2	7	4	3	1	4	9	43
Public Accommodation	6	8	4	14	10	5	10	11	9	12	12	8	109
Credit	0	0	0	0	0	0	0	0	0	0	0	0	0
Education	1	2	4	6	1	3	1	1	4	2	3	4	32

*EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

**Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Total Number of Inquiries by Region	303	263	288	359	342	309	342	334	312	338	307	292	3789
Region 1	32	23	26	34	35	38	48	39	42	41	31	35	424
Region 2	23	26	30	29	27	27	34	23	20	31	36	27	333
Region 3	17	23	17	18	27	31	28	26	13	19	15	30	264
Region 4	10	9	9	18	11	9	10	14	10	11	11	12	134
Region 5	135	122	131	169	158	132	133	137	131	138	127	116	1629
Region 6	25	17	19	21	33	28	31	31	24	38	22	27	316
Region 7	8	14	10	24	10	9	4	8	13	22	22	14	158
Region 8	18	8	12	18	18	12	32	19	18	11	13	15	194
Region 9	25	17	30	21	16	19	14	30	29	23	22	8	254
Unknown/Out of State	10	4	4	7	7	3	8	7	12	4	8	8	82

Region 1: Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

Region 2: St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

Region 3: LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

Region 4: White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

Region 5: Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

Region 6: Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

Region 7: Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

Region 8: Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

Region 9: Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

Unknown: If the location of the inquiry cannot be identified or is located out of state.

Investigation

The Investigation section shows the overall age of cases currently being investigated by the agency. Cases over 100 days in Real Estate or 180 days in all other cases could be in the Legal Department pending a decision. (Aged is >100 days in Real Estate and >180 days in all other cases).

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
% of Aged Cases by Area													
Employment	19%	11%	8%	5%	2%	3%	1%	1%	2%	1%	2%	6%	5%
Housing (Real Estate)	0%	6%	0%	0%	0%	0%	0%	0%	3%	0%	3%	5%	1%
Public Accommodation	10%	2%	9%	0%	2%	2%	0%	9%	9%	14%	10%	12%	7%
Credit	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Education	23%	13%	6%	11%	10%	5%	5%	9%	8%	17%	16%	17%	12%
Open Cases by Area													
Employment	288	291	295	317	354	404	425	451	455	476	528	567	
Housing (Real Estate)	38	35	39	44	50	35	52	61	49	48	46	52	
Public Accommodation	61	63	59	68	75	76	82	90	69	78	87	91	
Credit	0	0	0	0	0	0	0	0	0	0	0	0	
Education	20	22	25	27	28	29	29	31	32	31	33	36	

Closures

The Closure section indicates the number of cases closed and how the case was closed after a complete investigation. NPC = No Probable Cause, CWS = Closed with Settlement (Mediation Agreement), CW = Closed Withdrawal, AD = Administrative Dismissal (Lack of Jurisdiction, Failure to Cooperate/Locate), FO = Final Order.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Number of Cases Closed	39	53	45	31	27	42	45	29	89	50	55	23	528
Employment	26	38	30	20	17	15	38	17	33	36	36	14	320
Housing (Real Estate)	12	9	6	5	7	19	2	9	23	10	13	9	124
Public Accommodation	1	6	8	4	1	6	4	3	30	1	4	0	68
Education	0	0	1	2	2	2	1	0	3	3	2	0	16
Credit	0	0	0	0	0	0	0	0	0	0	0	0	0
Type of Closure													
NPC	21	39	28	21	18	23	35	10	36	37	35	17	320
CWS	9	10	13	6	5	10	5	4	13	5	7	4	91
CW	2	3	2	2	1	4	3	2	25	1	3	2	50
AD	3	1	0	2	3	5	2	6	4	3	5	0	34
FO	4	0	2	0	0	0	0	7	11	4	5	0	33

Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Probable/Reasonable Cause Findings	1	5	6	6	3	5	4	2	5	2	4	3	46
Employment	1	5	2	0	2	1	4	1	5	1	4	3	29
Housing (Real Estate)	0	0	1	1	0	3	0	1	0	1	0	0	7
Public Accommodation	0	0	3	4	1	0	0	0	0	0	0	0	8
Education	0	0	0	1	0	1	0	0	0	0	0	0	2
Credit	0	0	0	0	0	0	0	0	0	0	0	0	0
Active Cases													
Employment	31	33	32	33	34	33	32	34	35	34	33	32	
Housing (Real Estate)	14	15	14	14	14	17	17	15	15	14	14	14	
Public Accommodation	8	8	8	8	8	8	8	8	8	7	7	7	
Education	5	5	5	5	5	5	5	5	4	4	4	4	
Credit	0	0	0	0	0	0	0	0	0	0	0	0	
Average Age of Cases since NOF*	430	429	462	439	458	456	447	461	392	458	474	485	

*NOF (Notice of Finding). This includes cases that are now pending in state court.

Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

Higgins, B. v. Wal-Mart Stores East, L.P. is an employment case based on religion. Complainant alleged that he requested a religious accommodation which was granted in the past; however his request was later denied.

Jimenez, A. v. Tyson Foods, Inc. is an employment case based on national origin. Complainant alleged that he was disciplined more severely than a co-employee of another national origin who engaged in the same behavior.

Hagedon, T. v. Indiana University Health is an employment case based on race. Complainant alleged that he was disciplined more severely than his Filipino co-worker who engaged in similar conduct.

Final Orders

This section provides information on cases that receive Final Orders by The Commission.

N/A

Articles of Interest:

Notre Dame appoints Rights Center Leader (December 29, 2013, Inside Indiana Business)

<https://www.insideindianabusiness.com/newsitem.asp?ID=62970>

Former Congressman Andy Jacobs Jr. dies at 81 (December 28, 2013, RTV-6)

<http://www.theindychannel.com/news/local-news/former-congressman-andy-jacobs-jr-dies-at-81>

Justice Dept., CFPB reach \$98 million settlement to resolve auto lending discrimination allegations (12/20/2013, U.S. Department of Justice Newsroom)

<http://www.justice.gov/opa/pr/2013/December/13-crt-1349.html>

Indiana gas station sued after firing deli clerk who filed discrimination complaint (December 24, 2013, Indianapolis Star)

<http://www.indystar.com/story/money/2013/12/24/indiana-gas-station-sued-after-firing-deli-clerk-who-filed-discrimination-complaint/4196397/>

Feeling at home in new homeland (December 22, 2013, Journal Gazette)

<http://www.journalgazette.net/article/20131222/EDIT10/312229973>

Pioneering black lawmakers to get Indiana Statehouse busts (December 22, 2013, Evansville Courier & Press)

<http://www.courierpress.com/news/2013/dec/23/pioneering-black-lawmakers-get-indiana-statehouse/>

Civil Rights Commission, local organizations to revitalize Dr. King St. in Indianapolis (December 20, 2013, Indianapolis Recorder)

http://www.indianapolisrecorder.com/news/local/article_1855f0a2-69b0-11e3-851c-001a4bcf887a.html

Tyson Foods, Inc. charged with violating Indiana Civil Rights Law (December 20, 2013, WBIW.com)

<http://www.wbiw.com/state/archive/2013/12/tyson-foods-inc-charged-with-violating-indiana-civil-rights-law.php>

Civil Rights Commission, local organizations to revitalize Dr. King St. in Indianapolis (December 20, 2013 MLKIHC Newsroom)

<http://www.in.gov/mlkihc/2366.htm>

Georgia loan firm to pay Indiana borrowers \$18.6 million settlement (December 19 , 2013, Indy Star)

<http://www.indystar.com/story/money/2013/12/19/georgia-loan-firm-to-pay-indiana-borrowers-186-million-settlement/4129651/>

Civil Rights and MLK Commissions to honor Dr. King and unveil two historic busts (December 17, 2013, MLKIHC Newsroom)

<http://www.in.gov/mlkihc/2367.htm>

EEOC issues FY2013 Performance Report (December 16, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/12-16-13.cfm>

New EEOC report examines obstacles facing women in federal workplace (December 12, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/12-12-13.cfm>

HUD releases 'Qualified Mortgage' Definition (December 11, 2013, HUD Newsroom)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-187

Human rights declaration anniversary (December 10, 2013, WNDU.com)

<http://www.wndu.com/news/headlines/Human-Rights-Declaration-Anniversary--235313091.html>

Ruby Tuesday will pay \$575,000 to resolve EEOC class age discrimination lawsuit (December 9, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/12-9-13.cfm>

ICRC Director to speak at Diversity Matters! Conference in Merrillville (December 5, 2013, ICRC Newsroom)

<http://www.in.gov/icrc/2738.htm>

Direct Optical sued by EEOC for disability discrimination, retaliation (December 4, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/12-4-13a.cfm>

Foodworks will pay \$25K to settle disability discrimination lawsuit (December 4, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/12-4-13.cfm>

The ICW is now seeking nominations for the 10th Anniversary Torchbearer Awards (December 2, 2013, Indiana Commission for Women)

<http://www.in.gov/icw/2334.htm>